

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CHRISTINA NAVARRO,

Defendant.

8:17CR117

ORDER

This case came before the Court on a Second Amended Petition for Action on Conditions of Pretrial Release [44]. The court dismissed the Petition for Action on Conditions of Pretrial Release [34] and Amended Petition [36] on the oral motion of the government following an Initial Appearance held on November 9, 2017. The court will proceed with the Second Amended Petition for Action on Conditions of Pretrial Release [44].

On November 7, 2017 Pretrial Services Officer Julie Gust submitted a Second Amended Petition for Action on Conditions of Pretrial Release alleging the defendant had violated conditions of release as follows: The defendant failed to report to Pretrial Services on multiple occasions and tested presumptive positive for amphetamines, benzodiazepines, and marijuana. The defendant tested positive for amphetamines on multiple occasions and tested positive for methamphetamine. The defendant submitted diluted urine samples, failed to report for drug testing, and failed to obtain a substance abuse evaluation as directed. The defendant failed to attend intensive outpatient treatment. A warrant for defendant's arrest was issued.

The defendant appeared before Magistrate Judge Michael D. Nelson on November 9, 2017. Eric W. Kruger represented the defendant. Matt E. Lierman, Assistant United States Attorney, represented the government. After being advised of the nature of the allegations, rights, and the consequences if the allegations were found to be true, the defendant denied the allegations. A detention hearing was held and the court found the defendant should be detained on the grounds of flight and danger. The matter was scheduled for a disposition hearing.

The disposition hearing was held before the undersigned magistrate judge on January 12, 2018. The defendant admitted the allegations contained in the Second Amended Petition for Action on Conditions of Pretrial Release [44] were true. The defendant proposed she enter the

treatment program at the Stephen Center HERO Program. The government did not oppose the proposed release plan. I find the Order Setting Conditions of Release [15] should be revoked. I find the defendant should be released upon conditions to enter the Stephen Center HERO Program.

IT IS ORDERED:

1. The Petition for Action on Conditions of Pretrial Release [34] and Amended Petition for Action on Conditions of Pretrial Release [36] are dismissed.

2. The Second Amended Petition for Action on Conditions of Pretrial Release [44] is granted;

3. The April 27, 2017, Order Setting Conditions of Release [15] is hereby revoked; and

4. The defendant is released on the Order Setting Conditions of Release [63].

Dated this 17th day of January, 2018.

BY THE COURT:

s/ Susan M. Bazis
United States Magistrate Judge